

REMARKS

1. Claims in the Case

Claims 1, 3, 5-6, 22-47 and 56-63 are cancelled. Claims 2, 4, 7, 8, 9, 13, 20, 21, 48-54 have been amended. Claims 64-69 have been added. Claims 2, 4, 7-21, 48-55, and 64-69 are pending, of which 10-19, 53-55 and 65-69 are withdrawn from consideration. Accordingly, claims 2, 4, 7-9, 20, 21, 48-52 and 64 are under examination.

It is submitted that amended claim 4 is a proper linking claim in that it is now set forth in proper Markush group format, and each member of the group are functionally related (binding to APA) and structurally related (each contain the binding motif RECES – see paragraph [0047] of the specification]. Support for the added limitation of “50 amino acids or less” can be found in the specification at paragraph [0011].

Additional members of the Markush group have been added (SEQ ID NOS 4-6) and new claims to the individual peptide sequences added (claims 64-69) and withdrawn as appropriate (claims 65-69). Support for the newly added peptide sequences can be found in paragraph [0047].

Claims 7 and 8 have been placed into independent format and dependencies modified as appropriate.

Claims 48-52 have been changed to pure method claims. (The Action indicates that claims 48-52 were withdrawn, but they were indeed examined, so Applicant's assume that these claims are under examination.)

2. Rejection of Claims 48-55 under 35 U.S.C. §112, second paragraph

To address the second paragraph concerns, Applicants have added an additional step that is believed to be consistent with the Examiner's suggestion. If not, the Examiner is requested to suggest terminology that would be acceptable.

3. Rejection of Claims 1-2, 20 and 48-52 as Anticipated

With respect to the anticipation rejection, claim 1 has been canceled, and claims 2 and 20 made dependent upon claims that are free of the prior art. Moreover, claims 48-52 have been amended into pure process claims. Thus, it is believed that the anticipation rejections are now moot.

4. Rejection of Claims 3 and 5-6 Under 35 U.S.C. §112, First Paragraph

In that claims 3 and 5-6 have been cancelled, this rejection is moot.

5. Conclusion

In light of the foregoing, it is believed that the case is in condition for rejoinder of the withdrawn claims. If any questions arise, the Examiner is requested to contact the undersigned Applicant's representative.

Respectfully submitted,

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Date: December 22, 2006